

**Minutes of**  
Cresson City Council Meeting & Planning & Zoning Commission  
**February 8, 2022**

Mayor Conway called the City Council Meeting of Cresson, Texas to order at 7:00 P.M. February 8, 2022, at the City of Cresson Council Chambers. Attendance as follows:

Mayor Teena Conway	Ron Becker	Kenneth Benzenhoefer
Warren McKamey	Pam Manley	Lisa Clement

Fritz Quast, City Attorney

Councilperson Becker gave the invocation. Councilperson Manley led the U.S. Pledge and the Texas Pledge.

Meeting was opened to the public.

**Citizen's Comments**

None

**Mayor Report and Comments**

- A. **CERT Training available in March**-see City website for dates and times
- B. **Municode update**-Our city secretary is currently reviewing the 315-page manuscript first draft
- C. **Campaign stop in Bourland Fields with gubernatorial candidate Lt. Col. Allen West.**

**Planning and Zoning Commission Agenda**

- A. **Hold Public Hearing for a request from Mit-Mar Land LP for a change in zoning from Agricultural "A" to Planned Development "PD" for a tract of land consisting of approximately 427.29 acres out of the Nancy Smith Survey, Abstract Number 512, Hood County, Texas, same being a portion of the tract of land as described by deed to Mit-Mar Land, LP as recorded in Instrument No. 2021-0018871, Deed Records, Hood County, Texas (DRHCT), and being more particularly described by metes and bounds.**

Public Hearing begins at 7:06 P.M. Phillip Dixon and Grant Read from Mit-Mar LP presented information to the council and the citizens in attendance. There was push back from some residents of the Clearview Estates subdivision regarding the size of the lots and homes, the new Wastewater Treatment Plant, the wildlife, and the water use and aquifers. At the recommendation of the City Attorney, a motion was duly made by Councilperson Becker to table and suspend the public hearing until February 22, 2022 and seconded by Councilperson McKamey. 5 ayes and 0 nays. The motion passed unanimously. The Public Hearing is suspended. Public hearing is reopened at 7:50 P.M. to field more questions from the citizens and the council. Councilperson Manley make a second motion to suspend the public hearing until the February 22, 2022, city council meeting and seconded by Councilperson McKamey. 5 ayes and 0 nays. The motion is passed unanimously.

**Deliberation agenda**

- A. **Request from Mit-Mar Land LP for a change in zoning from Agricultural "A" to Planned Development "PD" for a tract of land consisting of approximately 427.29 acres out of the Nancy**

**Smith Survey, Abstract Number 512, Hood County, Texas, same being a portion of the tract of land as described by deed to Mit-Mar Land, LP as recorded in Instrument No. 2021-0018871, Deed Records, Hood County, Texas (DRHCT), and being more particularly described by metes and bounds.**

**1. Hold Public Hearing.** Public hearing is opened at 7:38 P.M. This is a continuation of the public hearing. Grant Read fields questions from the council.

**2. Consider and take any action to approve or disapprove ordinance to rezone the property from Agricultural “A” to Planned Development “PD” as requested by Mit-Mar Land LP.** No action taken.

**B. Application received from Titan Ready Mix, LP for a Replat of Lots 12 and 13 of Cresson Crossroads, Phase One, and addition for the City of Cresson, Hood County, Texas according to the plat recorded in Slide C-126, Plat Records, Hood County, Texas.**

**1. Hold Public Hearing.** Public Hearing is opened at 8:02 P.M. No comments or questions. Public Hearing is closed at 8 :03 P.M.

**2. Consider and take any action to approve or disapprove the application for a replat submitted by Titan Ready Mix, LP.** Councilperson Becker makes a motion to approve the replat of this property and seconded by Councilperson Clement. 5 ayes and 0 nays. The motion is passed unanimously.

**C. Consider and take any action regarding an ordinance establishing minimum standards applicable to residential and nonresidential buildings with respect to building structure, utilities, and health, and creating a Building and Standards Commission for the purpose of hearing and deciding cases concerning violations of the city’s health and safety ordinances, including ordinances relating to dangerously damaged or deteriorated buildings or improvements.** City Attorney Fritz Quast is available to answer any council questions. There are none. Councilperson Manley make a motion to go forward with the commission and seconded by Councilperson Benzenhoefer. 5 ayes and 0 nays. The motion is passed unanimously.

**D. Consider and take any action regarding a Resolution appointing members to the Building and Standards Commission.** It was discussed that each council member could nominate a member. The following names were nominated: Judi Smith, Bambi Bridges, Jim Manley, Jenny Stigall, and Ronnie Bridges, with Brenda Johnson and Phillip Patterson as alternate. Those not in attendance tonight will be contacted to determine if they will accept the nomination. Councilperson Becker make a motion to approve the list of nominations and seconded by Councilperson Manley. 5 ayes and 0 nays. The motion is passed unanimously.

**E. Consider and take any action regarding a Resolution calling for May 7, 2022, General Election.** Councilperson Becker makes a motion to approve the General Election Resolution and seconded by Councilperson McKamey. 5 ayes and 0 nays. The motion is passed unanimously.

**F. Discuss authorizing Cresson Volunteer Fire Department to use the property next to City Hall for emergency helicopter use.** Councilperson Becker has spoken with the company, and they stated the property would be fine. He also publicly thanked Mr. Jack Farr for allowing use of the Motorsport Ranch property for helicopter landing during emergencies. The CVFD will utilize the budgeted monies from the city to build the concrete pad, road, and install lights. They will solicit donations if they need more money

to cover the cost. Some details regarding who would own and insure the property were discussed and will be investigated further. Councilperson Benzenhoefer makes a motion to authorize the Cresson Volunteer Fire Department to use the property next to City Hall for a helicopter landing area and seconded by Councilperson McKamey. 5 ayes and 0 nays. The motion is passed unanimously.

**G. Recognition of Katy Froyd for completing the Texas Municipal Clerks Certification Program.** Mayor Conway recognized City Secretary Katy Froyd for the completion of the program and told the council and meeting attendees what the program entails.

**H. Approval of the minutes of the City Council Meeting held on January 25, 2022.** Mayor Conway asked the City Council to read the minutes of the City Council Meeting held on January 25, 2022. A motion is made by Councilperson Becker and seconded by Councilperson McKamey. 5 ayes and 0 nays. The motion passed unanimously.

### **Executive Session**

Pursuant to the provisions of Chapter 551 of the Texas Government Code, the City Council may adjourn into Executive Session, in accordance with the authority contained in:

**Section 552.071, Government Code, Consultation with Attorney**

*The City Council may conduct a private consultation with its attorney when the City Council seeks the advice of its attorney concerning any item on this agenda, about pending and contemplated litigation, or a settlement offer, or on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Chapter 551.*

- Training regarding Legal Authority and Obligations of Elected and Appointed Officials on subdivisions, planning, zoning authority, open government, liability, and conflicts of interest (Fritz Quast, City Attorney)

Council adjourns into Executive Session at 8:24 P.M.

### **Reconvene into Open Session**

Take any action deemed necessary as a result of the Executive Session.

Council returns at 9:43 P.M. No action is taken

### **Adjourn**

Meeting adjourned at 9:44 P.M.

  
Teena Conway, Mayor

  
Katy Froyd, City Secretary